

ENTERED

August 11, 2020

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

KYLIE L. BENITEZ-WHITE,

Plaintiff,

v.

PEOPLES REPUBLIC OF CHINA,
and COMMUNIST PARTY OF CHINA,

Defendants.

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CIVIL ACTION NO. H-20-1562

ORDER OF DISMISSAL

By Order entered May 8, 2020, the Court denied Omar W. Rosales's Motion for Admission *Pro Hac Vice* because on July 13, 2017, he was SUSPENDED from practice in the Southern District of Texas as a result of his suspension in the Western District of Texas, and that he had never since sought to be reinstated in this Court and remained SUSPENDED. The Court specifically ordered:

Omar W. Rosales remains SUSPENDED from practice in this case and shall give written notice, and a copy of this Order, to the client for whom he has filed this action, namely, Plaintiff Kylie L. Benitez-White, advising Plaintiff that she must either cause a new attorney to be substituted as her counsel or inform the Court that she will represent herself *pro se*.

The Court further ordered Omar W. Rosales promptly to advise the Court of Plaintiff's correct address where she may be served

with future notices or pleadings if she does not cause substitute counsel to appear in her behalf.

The Court finds that Omar W. Rosales has wholly failed for more than three months to comply with its Order to advise the Court of Plaintiff's correct address where she may be served with notices or pleadings. Instead, and in disregard of the Court's prior Order, Omar W. Rosales has filed a second Application for Admission *Pro Hac Vice* (Document No. 7). Nothing has changed, except for Omar W. Rosales displaying his contempt for the Court by defying its Orders. Rosales remains SUSPENDED from practice in this case, and has never been reinstated in this Court as required by the Rules of Discipline, United States District Court, Southern District of Texas. His second Motion for Admission *Pro Hac Vice* is DENIED.


On July 28, 2020, the Court issued a Show Cause Order to Plaintiff Kylie L. Benitez-White requiring that she show cause, if any exists, within ten (10) days after the date of that Order why this case should not be dismissed without prejudice for want of prosecution. Plaintiff has neither made a *pro se* appearance nor caused a lawyer to appear for her as required by the Court's Order of May 8, 2020. Plaintiff was advised that if she filed no response to the show cause order, the case will be dismissed for want of prosecution.

Plaintiff has filed no response to the Court's Show Cause Order of July 28, 2020. Accordingly, for the foregoing reasons, this case is DISMISSED without prejudice for want of prosecution.

It is SO ORDERED.

The Clerk will enter this Order, providing a correct copy to all parties of record.

SIGNED at Houston, Texas, on this 11th day of August, 2020.


EWING WERLEIN, JR.
UNITED STATES DISTRICT JUDGE